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8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA)

13 Plaintiff,)

14 v.)

15 KENNETH EUGENE HOLLOWAY,)

16 Defendant.)
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No. CR 97-40059 CW &
CR 07-00344 CW

PETITION FOR AND WRIT OF HABEAS
CORPUS AD PROSEQUENDUM

19 TO: The Honorable Maria-Elena James, United States Magistrate Judge of the United
20 States District Court for the Northern District of California:

21 Special Assistant United States Attorney Bryan R. Whittaker respectfully requests that
22 this Court issue a Writ of Habeas Corpus Ad Prosequendum for the person of prisoner,
23 KENNETH EUGENE HOLLOWAY, whose place of custody and jailor are set forth in the
24 requested Writ, attached hereto, and your petitioner avers that the prisoner is required to appear
25 in the above-entitled matters before the Honorable Claudia Wilken, United States District Judge,
26 at 2:00 p.m. on Wednesday, December 5, 2007, and therefore petitioner prays that this Court

27 PETITION FOR WRIT OF HABEAS
28 CORPUS AD PROSEQUENDUM
CASE NOS. CR 97-40059 CW & CR 07-00344 CW

FILED

DEC -3 PM 3:37

CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 issue the Writ as presented.

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3 Dated: December 3, 2007

Respectfully submitted,

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SCOTT N. SCHOOLS
United States Attorney

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/S/
BRYAN R. WHITTAKER
Special Assistant United States Attorney

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I hereby attest that I have on file all holograph signatures for any signatures indicated by a
"conformed" signature (/S/) within this e-filed document.

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PETITION FOR WRIT OF HABEAS
CORPUS AD PROSEQUENDUM
CASE NOS. CR 97-40059 CW & CR 07-00344 CW

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

KENNETH EUGENE HOLLOWAY,

Defendant.


No. CR 97-40059 CW &
CR 07-00344 CW

~~[PROPOSED]~~ ORDER GRANTING
PETITION FOR AND WRIT OF HABEAS
CORPUS AD PROSEQUENDUM

Upon motion of the United States of America, and good cause appearing therefore,

IT IS HEREBY ORDERED that the United States' request for issuance of a Writ of Habeas Corpus Ad Prosequendum requiring the production of defendant, KENNETH EUGENE HOLLOWAY, before the Hon. Claudia Wilken, United States District Judge, at 2:00 p.m. on Wednesday, December 5, 2007, or as soon thereafter as may be practicable, is granted, and the Writ shall be issued as presented.

Dated: December 3, 2007


HONORABLE MARIA-ELENA JAMES
United States Magistrate Judge

ORDER FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

CASE NOS. CR 97-40059 CW & CR 07-00344 CW

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO: FEDERICO ROCHA, United States Marshal, Northern District of California, and/or any of his authorized deputies, and the Sheriff of Contra Costa County;

GREETINGS

WE COMMAND that on Wednesday, December 5, 2007, at 2:00 p.m., or as soon thereafter as practicable, you have and produce the body of KENNETH EUGENE HOLLOWAY, DOB 11/16/1966, in your custody, before the United States District Court in and for the Northern District of California, in the Courtroom of the Hon. Claudia Wilken, United States District Judge, 1301 South Clay Street, Oakland, California, Courtroom 2, 4th Floor, in order that KENNETH EUGENE HOLLOWAY may then appear for an appearance upon the charges heretofore filed against him in the above-entitled Court, and that immediately after said hearing to return him forthwith to said above-mentioned institution or abide by such order of the above-entitled Court as shall thereafter be made concerning the custody of said prisoner, and further to produce said prisoner at all times necessary until the termination of the proceedings in this Court;

IT IS FURTHER ORDERED that should the local or state custodian release from its custody the above-named person, he be immediately delivered and remanded to the United States Marshal and/or his authorized deputies under this Writ.

WITNESS the Hon. Maria-Elena James, United States Magistrate Judge, United States District Court for the Northern District of California.

DATED: December 3, 2007

CLERK, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

By: 

BRENDA TOLBERT

DEPUTY CLERK

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

CASE NOS. CR 97-40059 CW & CR 07-00344 CW